

# State of South Dakota

EIGHTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2011

762S0136

## SENATE LOCAL GOVERNMENT ENGROSSED NO. **HB 1118** - 2/16/2011

Introduced by: Representatives Kirkeby and Brunner and Senators Schlekeway and Lederman

1 FOR AN ACT ENTITLED, An Act to revise certain provisions concerning the extraterritorial  
2 jurisdiction of municipalities.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 11-6-2611-6-26 be amended to read as follows:

5 11-6-26. After the city council of any municipality has adopted a comprehensive plan that  
6 includes at least a major street plan or has progressed in its comprehensive planning to the stage  
7 of making and adopting a major street plan, and has filed a certified copy of the major street  
8 plan in the office of the register of deeds of the county in which the municipality is located, no  
9 plat of a subdivision of land lying within the municipality, or of land within three miles of its  
10 corporate limits and not located in any other municipality, may be filed or recorded unless the  
11 plat has the recommendation of the city planning and zoning commission and the approval of  
12 the city council. As an alternative, the plat may be reviewed and approved in accordance with  
13 § 11-3-6. This provision applies to land within three miles of the corporate limits of the  
14 municipality and not located in any other municipality only if the comprehensive plan or major



1 street plan includes such land. However, if such extra municipal land lies within three miles of  
2 more than one ~~first or second class~~ municipality, the jurisdiction of each municipality terminates  
3 at a boundary line equidistant from the respective corporate limits of the municipalities, unless  
4 otherwise agreed to by a majority vote of the governing body of each such municipality. The  
5 plats shall, after report and recommendations of the commission are made and filed, be  
6 approved or disapproved by the city council or reviewed and approved in accordance with § 11-  
7 3-6. The commission shall make its recommendation to the council within sixty days of  
8 submission.